

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Oleg and Jennifer Yusenko,)
)
)
 Plaintiffs,)
)
)
 vs.)
)
 Lennar Carolinas, LLC, Home Buyers)
 Warranty Corporation d/b/a 2-10 Home)
 Buyers Warranty Corporation, National)
 Home Insurance Company, John Doe,)
)
 Defendants.)
)
)
 C/A No.: 0:09-cv-2395-JFA
 ORDER

The court, having been advised by counsel for the parties that the above action has settled, hereby orders that this action be dismissed without costs and without prejudice. If settlement is not consummated within a reasonable time, either party may, within 60 days, petition the court to reopen the action and restore it to the calendar. See Fed. R. Civ. P. 60(b)(6). In the alternative, to the extent permitted by law, either party may, within 60 days, petition the court to enforce the settlement. Fairfax Countywide Citizens v. Fairfax County, 571 F.2d 1299 (4th Cir. 1978).

The dismissal hereunder shall be with prejudice if no action is taken under either alternative within 60 days from the filing date of this order.

IT IS SO ORDERED.

January 13, 2012
Columbia, South Carolina

Joseph F. Anderson, Jr.
Joseph F. Anderson, Jr.
United States District Judge